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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 UNITED STATES OF AMERICA,  
11  
12 v.  
13 ANDRES CHAVEZ-CHAVEZ,  
14 Defendant.

CASE NO. 07CR1408 WQH  
ORDER

15 Hayes, Judge:

16 The matter before the court is the motion for reduction of sentence pursuant to  
17 18 U.S.C. §3582(c)(2) (ECF No. 854) filed by Defendant Andres Chavez-Chavez.

18 On October 20, 2015 this Court entered the following order:

19 Amendment 782 to the United States Sentencing Guidelines,  
20 effective November 1, 2014, lowered the penalties for drug offenses by  
21 reducing the offense level in the § 2D1.1 Drug Quantity Table by two  
22 levels. The Amended Guidelines provide a base offense level of 38 for an  
23 offense involving 45 kilograms or more of methamphetamine or 4.5  
24 kilograms (actual).

25 In this case, Defendant admitted as a factual basis for his plea that  
26 “during the period of spring 2006 through May 2007, at least 100  
27 kilograms (220 pounds) of methamphetamine were distributed in the San  
28 Diego area by Defendant and the drug trafficking group which he lead.”  
(ECF No. 357 at 3). The record established that the sentence imposed was  
based upon an amount of controlled substance that was not affected by  
Amendment 782.

IT IS HEREBY ORDERED that motions for reduction of sentence  
pursuant to 18 U.S.C. §3582(c)(2) Guideline Amendment 782 (ECF No.  
792 and ECF No. 806) are denied.


(ECF No. 807). Defendant now moves the Court to use a “less stringent standard of  
review” and to grant a reduction of his sentence pursuant to 18 U.S.C. § 3582(c)(2)

1 based upon a reduction of the sentencing guidelines.

2 This Court has fully considered a reduction of Defendant's sentence pursuant to  
3 Amendment 782 and 18 U.S.C. § 3582(c)(2). Defendant has cited no authority which  
4 would permit this Court to modify the sentence imposed. *See* 18 U.S.C. § 3582(c).

5 IT IS HEREBY ORDERED that the motion for reduction of sentence pursuant  
6 to 18 U.S.C. §3582(c) (ECF No. 854) is denied.

7 DATED: January 25, 2018

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9 **WILLIAM Q. HAYES**  
United States District Judge